



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Vincent DeVito, Partner  
Bowditch & Dewey, LLP  
300 New Jersey Avenue, NW, Suite 900  
Washington, DC 20001

SEP 07 2016

Re: MUR 7075  
SCOTT PAC


Dear Mr. DeVito:

On August 24, 2016, the Federal Election Commission accepted the signed conciliation agreement you submitted on behalf of Strong Country for Today & Tomorrow (SCOTTPAC) and Vincent DeVito in his official capacity as treasurer, in settlement of a violation of 52 U.S.C. § 30116(f), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66,132 (Dec. 14, 2009). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 52 U.S.C. § 30109(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 60 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

  
Kamau Philbert  
Attorney

Enclosure  
Conciliation Agreement

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**BEFORE THE FEDERAL ELECTION COMMISSION**

**In the Matter of** )  
 )  
 **Strong Country for Today & Tomorrow** )  
 **and Vincent DeVito in his official** )  
 **capacity as treasurer** )

## CONCILIATION AGREEMENT

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 52 U.S.C. § 30109(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

**III. Respondents enter voluntarily into this agreement with the Commission.**

**IV. The pertinent facts in this matter are as follows:**

1. The Committee was Scott Brown's principal campaign committee during his run for the U.S. Senate in 2014; it is currently a nonconnected multicandidate committee registered with the Commission.<sup>1</sup> Vincent DeVito is the Committee's treasurer of record.

2. During the 2014 election cycle, an authorized committee was limited to accepting a total of \$2,600 per election from any one person. *See* 52 U.S.C. §30116(a)(1)(A); 11 C.F.R. §§110.1(b)(1).

3. A candidate or a political committee is prohibited from knowingly accepting an excessive contribution. *See* 52 U.S.C. § 30116(f); 11 C.F.R. § 110.9.

4. A primary and a general election are separate elections. *See* 52 U.S.C. § 30101(l)(A); 11 C.F.R. § 100.2(a)-(c)

5. When a committee receives an excessive contribution, the committee must, within 60 days of the contribution's receipt, either refund the excessive portion of the contribution or obtain a redesignation or reattribution from the contributor. *See* 11 C.F.R. § 103.3(b)(3).

6. On October 23, 2014, the Committee filed the Amended 2014 October Quarterly Report covering the period from August 21, 2014, to September 30, 2014. The report showed that the Committee received excessive contributions totaling \$35,100 from fourteen individuals and one non-multicandidate political committee that were not timely refunded, redesignated, or reattributed. Also on October 23, 2014, the Committee filed the 2014 12-Day Pre-General Report covering the period from October 1, 2014, to October 15, 2014. The report showed that the Committee received additional excessive contributions totaling \$22,450 from ten

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<sup>1</sup> The Committee, formerly named New Hampshire for Scott Brown, was the principal campaign committee of Scott Brown, a U.S. Senate candidate for New Hampshire, who lost the 2014 general election. The contributions at issue were all included in disclosure reports that New Hampshire for Scott Brown filed with the Commission.

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individuals that were untimely refunded, redesignated, or reattributed. On December 4, 2014, the Committee's filed its 2014 30-Day Post-General Report covering the period from October 16, 2014, to November 24, 2014. The report showed that the Committee received excessive contributions totaling \$5,250 from three individuals that were untimely refunded, redesignated, or reattributed. The Committee disclosed the untimely refunds of the excessive contributions on the Committee's 2014 Year-End Report and in a later Miscellaneous Paper Document ("FEC Form 99").

V. Respondents violated 52 U.S.C. § 30116(f) by knowingly accepting excessive contributions.

VI. 1. Respondents will pay a civil penalty of Ten Thousand Five Hundred Dollars (\$10,500) to the Federal Election Commission pursuant to 52 U.S.C. § 30109(a)(5)(A).

2. Respondents will cease and desist from violating 52 U.S.C. § 30116(f).

VII. The Commission, on request of anyone filing a complaint under 52 U.S.C. § 30109(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 60 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Daniel A. Petalas  
Acting General Counsel

BY: Kathleen Guith  
Kathleen Guith  
Acting Associate General Counsel  
for Enforcement

Date 9/6/16

FOR THE RESPONDENTS:

VADUto  
(Name)  
(Position) Treasurer

Date 8/10/16

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